

REMARKS

Claims 1-43 are pending. Claims 1-43 have been rejected. Claims 1, 11, 25, 26, 32 and 38 have been amended back to the previous form that they were originally submitted in. The Applicants respectfully submit that the September 4, 2003 amendment replacing the term “distributed network” with “Internet” was unduly limiting and rendered unnecessary by the arguments presented below.

Specification

The Examiner’s objection to the abstract has been addressed the in attached corrected abstract.

35 U.S.C. § 102(b)

Claims 1-43 are rejected under 35 U.S.C. § 102(b) as being allegedly anticipated Sigler et al. (U.S. Patent No. 5,717,830). Applicants respectfully traverse the rejection.

Applicants submit that Sigler et al. fails to teach or suggest at least the feature of a “a transmitter to transmit packet data through a first channel to said controller” and a “receiver to receive packet data through a second channel.”

This is in contrast to the Sigler et al. patent that discloses a satellite trunked radio services system which uses a single, dedicated channel for supporting communications among the participating member of a Closed User Group (CUG). The “central controller broadcasting the message to the NET group informing the NET group of the allocated frequency and the voice communication associated therewith” [claim 6, (A2)]. Upon the assignment of this dedicated channel at an allocated frequency, the members of the CUG communicate with each other over this single channel.

Futhermore, Sigler et al. discloses “the central controller receiving the NET ID, validating the first MET for communication, validating the NET ID, allocating a frequency for the NET

group, and broadcasting the message to the NET group including the second MET informing the NET group of the allocated frequency and the voice communication associated therewith” [claim 12, (d)].

Sigler et al. is an example of a typical push-to-talk system discussed in the Related Art portion of the Applicants’ specification (see the Applicants’ specification, paragraph 4, third sentence) that “relies on a single frequency, or dedicated channel, over which communications are received by the wireless communication devices.”

The Applicants’ claimed invention uses a first channel and at least one second channel for supporting communications. Therefore, the Applicants’ present invention does not require the usage of a single frequency, or dedicated channel for its operation, but rather, can operate over a plurality of channels among the members of a communicating network.

Thus, Applicants respectfully submit that Sigler et al. fails to teach or suggest at least these features and combinations thereof as variously recited in claim 1. Therefore, for at least the reasons presented above, it is respectfully submitted that the rejection be withdrawn and that claim 1 be allowed.

Claims 2-10 are dependent claims that depend upon independent claim 1 and should be allowable for at least the same reasons presented above regarding claim 1.

Claims 11, 25, 26, 32 and 38 are independent claims that recite related features to those recited in independent claim 1. Therefore, it is respectfully submitted that claims 11, 25, 26, 32 and 38 be allowed for the same reasons presented above regarding Claim 1.

Claims 12-24 are dependent claims that depend upon independent claim 11 and should be allowable for at least the same reasons presented above for the independent claim that they depend from. Claims 27-31 are dependent claims that depend upon independent claim 26 and should be allowable for at least the same reasons presented above for the independent claim that

- they depend from. Claims 33-37 are dependent claims that depend upon independent claim 32 and should be allowable for at least the same reasons presented above for the independent claim that they depend from. Claims 39-43 are dependent claims that depend upon independent claim 38 and should be allowable for at least the same reasons presented above for the independent claim that they depend from.

CONCLUSION

In light of the amendments contained herein, Applicants submit that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

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